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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. MJ 17-259  
10 v. ) (CR17-222-JCC)  
11 AUDENCIO CHAVEZ-ACOSTA, )  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Illegal Reentry after Deportation

15 Date of Detention Hearing: September 11, 2017.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably assure  
19 the appearance of defendant as required and the safety of other persons and the community.

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 21 1. Defendant is reportedly a citizen of Mexico.
- 22 2. The United States alleges that his presence in this country is illegal. There is

an immigration detainer pending against him. His criminal record includes a prior Illegal Reentry after Deportation, and a conviction for Murder in the Second Degree from 1994, for which he was sentenced to 136 months in prison by the King County Superior Court. His recent arrest was pursuant to an arrest warrant issued in this state case.

3. Defendant poses a risk of nonappearance due to lack of legal status, previous absconder status from the 1994 case, a prior failure to appear, and the immigration detainer. Defendant poses a risk of danger due to criminal history. There does not appear to be any condition or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings while addressing the danger to other persons or the community.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and


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01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
03 Officer.

04 DATED this 11th day of September, 2017.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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